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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,686	10/16/2001	Joseph R. Nardone	003636.0125	3773

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EXAMINER
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CHANKONG, DOHM

ART UNIT	PAPER NUMBER
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2152

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07/23/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/977,686	<b>Applicant(s)</b> NARDONE ET AL.	
	<b>Examiner</b> DOHM CHANKONG	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4,6,7 and 9-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7, and 9-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to Applicant's amendment filed on 4.18.2008. Claims 1, 9, 15, 20, 21, 26, and 27 are amended. Claims 5 and 8 are canceled. Claims 1-4, 6, 7, and 9-31 are presented for further examination.

2. This is a final rejection.

### ***Response to Arguments***

3. Claims were objected to as being dependent upon a rejected base claim, but would have been allowable if rewritten in independent form including all of the limitations of the base claim *and any intervening claims*. Claim 8 was dependent on claim 5 which was dependent on claim 4 which was dependent on claim 3. Thus, the allowance of the claims hinged on Applicant incorporating limitations from claims 3, 4, 5, and 8 into the independent claims. Instead, Applicant has amended the independent claims to only include limitations of dependent claims 5 and 8. Since this is not the subject matter that was objected to as being allowable, a new search was conducted and was necessitated by the amendment because the scope of the claims has changed. Specifically, in examining now amended claim 1, the limitations of claim 8 no longer must be considered in conjunction with the limitations of claims 3 and 4 because the limitations of claim 8 are no longer dependent on claims 3 and 4. Therefore, a final rejection is proper to consider the claims in light of the changes to the claims scope.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7 and 9-31 are rejected under 35 U.S.C. §103(a) as being unpatentable over Alam et al, U.S. Patent No. 6,324,544 [“Alam”], in view of Hawkins et al, U.S. Patent No. 5,884,323 [“Hawkins”], in further view of Grambihler et al, U.S. Patent No. 6,560,655 [“Grambihler”].

5. Grambihler was previously cited but not relied upon in the previous action.

6. Alam disclosed a method for synchronizing file objects in object stores between a mobile device and a host computer. In an analogous art, Hawkins disclosed a method for synchronization process negotiation between a handheld computer systems and a host computer on which data are to be synchronized. In an analogous art, Grambihler disclosed a system including a synchronization manager for standardizing the synchronization of separate programs.

7. Concerning claims 1, 15, 20, 21, 26, and 27, Alam did not explicitly state that the synchronization instruction comprises a command that passes control to a particular application after synchronization. Although Alam refers to synchronizing objects upon connection of the

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devices, he is not specific on this aspect and so is not explicit about the commands within the synchronization instruction.

However, Hawkins discloses this feature as his system contains a command that passes control to particular a particular application after synchronization is complete [column 8 «lines 11-15»]. Specifically, Hawkin's SyncUnRegister() command ends the synchronization and passes control to the sync manager library. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Alam by adding the ability to specify when control of the processing should be passed to a different application when synchronization is complete as taught by Hawkins. Here the combination satisfies the need for efficiently ending the synchronization while specifying which application should continue running on the PDA.

While Alam and Hawkins disclose passing control to a different application after executing a synchronization instruction and that these synchronization instructions contain at least one parameter, they do not expressly disclose that the instruction includes a parameter that identifies a different application to perform a next instruction after executing said synchronization instruction. However, such a feature was well known in the art at the time of Applicant's invention. Specifically, like Hawkins, Grambihler discloses using synchronization instructions that contain parameters [column 34 «lines 18-59»]. Unlike Hawkins however, Grambihler expressly discloses an instruction that includes at least one control parameter identifying a different application to perform a next instruction after executing said synchronization instruction [column 27 «line 43» to column 28 «line 6»]. Grambihler teaches a

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method containing parameters that allow a calling application to specify a different application.

This feature reads on Applicant's claimed limitation.

It would have been obvious to one of ordinary skill in the art to have modified Alam and Hawkins' synchronization instruction to include parameters that specify a different application for execution as taught by Grambihler. Implementing parameters within a command or instruction was well known in the art at the time of Applicant's invention. One of ordinary skill in the art would have been to modify Alam and Hawkins instruction to offer a user greater control over the applications that are run in his system.

8. Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as an apparatus are rejected under the same rationale applied to the described claim.

9. Thereby, the combination of Alam, Hawkins, and Grambihler discloses:

- <Claim 1>

A method of reconciling data between a host device wirelessly connected to a personal data assistant, comprising:

commencing execution of an application on said personal data assistant (Alam, column 10, lines 44-52);

executing a synchronization instruction from said application (Alam, Figure 1 | column 10, lines 53-62 and column 12, lines 15-63 where the manager application runs on the personal data assistant and executes methods to perform synchronization), said

synchronization instruction comprising at least one parameter including a control parameter identifying a different application to perform a next instruction after executing said synchronization instruction [see Hawkins, column 8 «lines 11-15» and Grambihler, column 27 «line 43» to column 28 «line 6»]; and

synchronizing data over a wireless connection stored in said personal data assistant with data stored in said host device (Alam, column 13, lines 6-17 and column 5, lines 36-52).

- <Claim 2>

The method of claim 1, further comprising: establishing a TCP/IP communication link between said host device and said personal data assistant for synchronizing said data (Alam, column 5, lines 35-52).

- <Claim 3>

The method of claim 1, further comprising: launching a first synchronization process on said personal data assistant in response to said executing a synchronization instruction (Alam, figure 6, item 140); and launching a second synchronization process on said host device in response to said executing a synchronization instruction (Alam, figure 6, item 148).

- <Claim 4>

The method of claim 3, wherein: said synchronizing is performed by said first synchronization process and said second synchronization process (Alam, column 13, lines 38-49).

- <Claim 6>

The method of claim 5, wherein: said at least one parameter identifies data for synchronization (Alam, column 11, lines 44-61).

- <Claim 7>

The method of claim 6, wherein: said identified data includes data stored in at least one database in said personal data assistant that is synchronized with data stored in an associated database in said host device (Alam, column 10, lines 53-62).

- <Claim 9>

The method of claim 5, wherein said step of executing a synchronization instruction further comprises: extracting said at least one parameter from said synchronization instruction; and storing said at least one parameter in memory in said personal data assistant (Alam, column 12, lines 48-67).

- <Claim 10>

The method of claim 9, wherein said executing a synchronization instruction further comprises: retrieving said stored at least one parameter from said memory; and executing from said application said synchronization instruction with said retrieved at least one parameter (Alam, column 12, line 67 through column 13, line 17).

- <Claim 11>

The method of claim 1, wherein: said executing a synchronization instruction from said application further comprises executing said synchronization instruction in response to an event (Alam, column 10, lines 44-52).



- <Claim 12>

The method of claim 11, wherein: said event comprises selecting a button or icon displayed by said application on said personal data assistant (Alam, column 9, lines 14-22).

- <Claim 13>

The method of claim 11, wherein: said event comprises selecting a menu item displayed by said application on said personal data assistant (Alam, column 9, lines 14-22).

- <Claim 14>

The method of claim 11, wherein: said event comprises one of selecting a form and closing a form displayed on said personal data assistant (Alam, column 8, lines 9-14).

- <Claim 15>

A system comprising:

a personal data assistant comprising at least one first database (Alam, figure 1, items 12, 20, and 22); and

a host device adapted to be connected to said personal data assistant over a wireless connection and including at least one second database (Alam, figure 1, items 14, 32, and 34 and column 5, lines 36-52);

wherein said personal data assistant is adapted to be configured to execute a synchronization instruction, said synchronization instruction comprising at least one parameter including a control parameter identifying a different application to perform a

next instruction after executing said synchronization instruction [see Hawkins, column 8 «lines 11-15» and Grambihler, column 27 «line 43» to column 28 «line 6»].

- <Claim 16>

The system of claim 15, wherein said personal data assistant further comprises: a runtime engine executing said application (Alam, figure 1, item 24); and a memory storing a program file received from said host device, said program file including said synchronization instruction executed by said personal data assistant (Alam, column 4, line 43 through column 5, line 11 and column 8, lines 34-49).

- <Claim 17>

The system of claim 16, wherein: said runtime engine is configured to retrieve said synchronization instruction from said program file and execute said synchronization instruction (Alam, column 12, line 48 through column 13, line 17).

- <Claim 18>

The system of claim 17, wherein: a first synchronization process is launched on said personal data assistant and a second synchronization process is launched on said host device for synchronizing in response to said execution of said synchronization instruction (Alam, figure 6, items 140 and 148).

- <Claim 19>

The system of claim 17, wherein: said host device further comprises an integrated design environment configured to generate said application and said program file, said application and said program file being downloaded to said personal data assistant from said host device through a communication link (Alam, column 5, lines 28-52).

- <Claim 20>

A data synchronization system comprising:

a host computer including an integrated design environment (Alam, figure 1, item 14), a first plurality of databases (Alam, figure 1, items 32 and 34), and at least one application (Alam, figure 1, item 30), wherein said host computer is configured to generate said at least one application and a program file including instructions executed with said application (Alam, column 5, lines 28-34); and

a personal data assistant connected to said host computer through a wireless connection (Alam, figure 1, item 12 and column 5, lines 36-52), said personal data assistant comprising a runtime engine (Alam, figure 1, item 24) and a second plurality of databases (Alam, figure 1, items 20 and 22);

wherein said personal data assistant is configured to receive said at least one application and program file from said host computer (Alam, column 5, lines 28-52), and said runtime engine is configured to initiate said at least one application and a synchronization instruction in said program file, said synchronization instruction comprising at least one parameter including a control parameter identifying a different application to perform a next instruction after executing said synchronization instruction [see Hawkins, column 8 «lines 11-15» and Grambihler, column 27 «line 43» to column 28 «line 6»].

- <Claims 21, 26, and 27>

A method of synchronizing data between a personal data assistant and a remote computer, comprising:

selecting from said personal data assistant which files on said personal data assistant to synchronize with said remote computer (Alam, column 12, line 48 through column 13, line 5);

establishing wireless communications between said personal data assistant and said remote computer (Alam, column 10, lines 53-62; column 12, lines 15-26; and column 5, lines 36-52); and

running an application on said personal data assistant (Alam, Figure 1 «items 24, 16, 18» | Figure 6 «items 140, 144, 146»), said application comprising a synchronization instruction comprising at least one parameter including a control parameter identifying a different application to perform a next instruction after executing said synchronization instruction [see Hawkins, column 8 «lines 11-15» and Grambihler, column 27 «line 43» to column 28 «line 6»].

- <Claims 22 and 28>

The method of synchronizing data between a personal data assistant and a remote computer according to claim 21, wherein: said synchronizing is performed over a wireless connection (Alam, column 5, lines 36-52).

- <Claims 23 and 29>

The method of synchronizing data between a personal data assistant and a remote computer according to claim 21, wherein: said synchronizing synchronizes a first database on said personal data assistant with a second database on said remote computer (Alam, column 10, lines 53-62).

- <Claims 24 and 30>

The method of synchronizing data between a personal data assistant and a remote computer according to claim 21, further comprising: selecting a button or icon displayed by an application on said personal data assistant (Alam, column 9, lines 14-22).

- <Claims 25 and 31>

The method of synchronizing data between a personal data assistant and a remote computer according to claim 21, further comprising: selecting a menu item displayed by an application on said personal data assistant (Alam, column 9, lines 14-22).

Since the combination of Alam and Hawkins discloses all of the above limitations, claims 1-4, 6, 7, and 9-31 are rejected.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOHM CHANKONG whose telephone number is (571)272-3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dohm Chankong/  
Examiner, Art Unit 2152

/Bunjob Jaroenchonwanit/  
Supervisory Patent Examiner, Art Unit 2152

<div><div>Application Number</div><div></div></div>	Application/Control No.	Applicant(s)/Patent under Reexamination	
	09/977,686	NARDONE ET AL.	
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	DOHM CHANKONG	2152	